

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MICHAEL C. STERNBERG,
Plaintiff,

v.

SHELLEY WARNECK, et al.,
Defendants

Case No. 2:23-cv-01466-APG-EJY

**ORDER AFFIRMING MAGISTRATE
JUDGE'S RULING**

[ECF No. 34]

Defendant Shelley Warneck moved for leave to file under seal two exhibits to her motion to consolidate cases. ECF No. 25. Magistrate Judge Youchah granted that motion. ECF No. 26. Plaintiff Michael Sternberg appealed that order. ECF No. 34. Mr. Sternberg primarily argues that Judge Youchah based her decision on California Family Code § 7643, which he contends is unconstitutional. *Id.* at 2-4. Mr. Sternberg subsequently filed a “Notice of Constitutional Challenge Pursuant to FRCP 5.1.” ECF No. 39. That issue has not been fully briefed yet.

I have reviewed the appeal, Judge Youchah’s Order, and the underlying papers. Judge Youchah’s Order is not “clearly erroneous or contrary to law.” Local Rule IB 3-1(a). I therefore order that Magistrate Judge Youchah’s Order (**ECF No. 26**) is **affirmed** and Mr. Sternberg’s appeal (**ECF No. 34**) is **denied**. Should I later determine that California Family Code § 7643 is unconstitutional, either party may move for reconsideration of this order at that time.

DATED this 12th day of February, 2024.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE